

TOWN OF BIG FLATS  
PLANNING BOARD  
MEETING MINUTES

JUNE 2, 2015

Town Hall  
Meeting Room  
6:30pm

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Members Present: Lance Muir, Scott Esty, Angela Piersimoni, Jim Ormiston, Carl Masler, Robert Byland, Dave Seely

Members Absent: None

Staff Present: Timothy Gilbert

Guests: John Hunter, Chris Dean, Jamie Gensel

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Minutes  
May 5, 2015

**Motion by Esty, seconded by Piersimoni, to approve the minutes of May 5, 2015, Discussion, None, Motion Carries 7-0.**

**PUBLIC HEARING  
CURREN ROAD SUBDIVISION  
84 CURREN ROAD  
TAX PARCEL #87.00-1-94.11**

Muir called the public hearing to order at 6:30pm, noting it had been duly published in the Star Gazette.

Speaking for: None

Speaking against: None

Public hearing closed at 6:31pm.

**RESOLUTION P-2015-14  
Chris Dean Final Site Plan  
Tax Parcel 66.04-4-19**

Resolution by: Ormiston  
Seconded by: Byland

**WHEREAS**, the Town of Big Flats Planning Board received an application on April 17, 2015, for site plan approval to demolish an existing residential structure and construct a 2 unit dwelling; and,

**WHEREAS**, the Town of Big Flats Planning Board has reviewed the submitted materials in accordance with Chapter 17.32 of the Town of Big Flats Municipal Code; and,

**WHEREAS**, the Town of Big Flats Department of Planning has provided a staff report dated April 28, 2015 to be forwarded to the applicant as the finding of fact through the preliminary review; and

**WHEREAS**, the Town of Big Flats sent this project to the Chemung County Planning Board and the Chemung County Highway Department for review; and

**WHEREAS**, the proposed action is an Unlisted action pursuant to SEQR 6 NYCRR Part 617 and the Big Flats Planning Board declared themselves as lead agency and found and made a negative declaration of significant environmental impact;

**NOW THEREFORE BE IT RESOLVED**, the Town of Big Flats Planning Board Hereby Grants Final Approval for the Site Plan submission received April 17, 2015.

**CARRIED: AYES:** Esty, Byland, Masler, Muir, Piersimoni, Ormiston, Seely  
**NAYS:**

Dated: Tuesday, June 2, 2015  
BIG FLATS, NEW YORK

By order of the Planning Board of the Town of Big Flats  
Lance Muir  
Chairman, Planning Board

**RESOLUTION P-2015-15**  
**Curren Road Subdivision Final**  
**Tax Parcel 46.00-2-35**

Resolution by: Esty  
Seconded by: Seely

**WHEREAS**, this Board has received an application for subdivision review on April 10, 2015; and

**WHEREAS**, this Board set a Public Hearing on the Preliminary Plat to be held June 2, 2015; and

**WHEREAS**, the following are finding of fact:

- A. The Subdivision survey has been submitted, and appears to be adequate for final approval



- B. The Subdivision has due regard for the provision of adequate access to additional parcel by existing ways that will be safe and convenient for travel
- C. The Subdivision is an Unlisted Action in accordance with 6NYCRR 617.3, that this Board is the Lead Agency completing an uncoordinated review
- D. That based on the review of Part 2 of the SEQRA Short Environmental Assessment Form completed by the Applicant and this Board, this Board finds no significant potential adverse environmental impact and therefore issued a Negative Declaration on May 5, 2015; and,

**WHEREAS**, the following are terms prior to endorsement of the final plat:

- A. The applicant shall submit one (1) Mylar and four (4) paper copies to Director of Planning
- B. The applicant shall file the approved subdivision plat with the Chemung County Clerk within (62) sixty-two days from the date of endorsement
- C. Failure of the applicant to file the final plat with the County Clerk within (62) sixty-two days shall cause such final approval to expire pursuant to Section 16.08.040(J) of the Town Municipal Code
- D. All documents shall be prepared at the expense of the applicant, as required by the Planning Board Rules and Regulations Governing the Subdivision of Lands
- E. All appropriate erosion control measures for the lot shall be in place. The Big Flats Stormwater Officer and Code Enforcement Officers shall make final determination of appropriate measures
- F. Lot numbers, visible from the roadways must be posted on all lots.

**WHEREAS**, the following are terms prior to obtaining a certificate of occupancy:

- A. All necessary permits and approvals for the lot in question shall be obtained from any other agency
- B. Permanent house numbers must be posted on dwellings and be visible from the road
- C. The Applicant shall ensure that all Planning Board, Chemung County Health Dept., Building Dept., and Public Works requirements are satisfied and that construction was in strict compliance with all approved plans and conditions

**WHEREAS**, the following are general conditions for the project:

- A. There shall be no burying or dumping of construction material on site
- B. The contractor shall contact Dig Safe at least 72 hours prior to commencing any excavation
- C. Gas, Telephone, Cable, and Electric utilities shall be installed underground, and otherwise as specified by the respective utility companies
- D. Any action by a Town Board, Commission, or Department which requires changes in the placement of any easements or utilities, drainage facilities, grading or no cut lines, may be subject to modification by the Planning Board

**WHEREAS**, the following are terms prior to any site work:

- A. All erosion and sediment control measures as outlined in the individual erosion control plans that will be developed for the site must be approved by the Big Flats Stormwater Officer and ensure that all stormwater is handled on site. In no case will stormwater be permitted to enter the roadway.

**WHEREAS**, the following are terms throughout and during construction:

- A. Dust mitigation and roadway must remain clean and an adequate construction entrance shall be installed throughout the construction process.

- B. Hours of operation during construction are limited from 7 a.m. to 5 p.m., Monday through Friday and 8 a.m. – 5 p.m. on Saturdays. Construction is prohibited on Sundays and Town Holidays

**NOW, BE IT THEREFORE RESOLVED**, to grant final subdivision approval for the proposed two lot subdivision as submitted

CARRIED: **AYES:** Muir, Piersimoni, Masler, Esty, Byland, Ormiston, Seely

**NAYS:**

Dated: Tuesday, May 5, 2015

BIG FLATS, NEW YORK

By order of the Planning Board of the Town of Big Flats

Lance Muir

Chairman, Planning Board

**RESOLUTION P-2015-16  
DEMETS EXPANSION FINAL  
TAX PARCEL #67.01-1-7.212**

Resolution: Seely

Seconded by: Esty

WHEREAS this board has received an application from DeMets, lessee of tax parcel 67.01-1-7.212 for site plan amendment re-approval for Phase II of the approved site plan, as shown on a drawing by Fagan Engineering dated February 25, 2008, and;

WHEREAS the property is located in the airport business district (ABD), and;

WHEREAS site approval was granted pursuant to Resolution P2008-21, dated August 5, 2008, and the applicant is requesting re-approval for the second phase of the previously approved site plan as follows:

- Expansion to the building to accommodate a new product line:
  - 19582sf to the south side
  - 1715sf to the northeast side

AND WHEREAS this project was reviewed pursuant to SEQRA as an Unlisted Action and a Negative Declaration was issued, and this amendment request continues to be an Unlisted Action and will be reviewed under the same, and;

WHEREAS there are no proposed changes to servicing utilities or the Stormwater Management Plan, and;

WHEREAS the Chemung County Planning Board recommended town approval at the time of the initial submission (February 2008), and;



THEREFORE BE IT RESOLVED that the Planning board moves to approve the documents submitted as Preliminary/Final, and hereby grants Final approval

**CARRIED: AYES:** Muir, Esty, Byland, Seely, Masler, Piersimoni, Ormiston  
**NAYS:**

Dated: Tuesday, June 2, 2015  
BIG FLATS, NEW YORK

By order of the Planning Board of the Town of Big Flats  
Lance Muir  
Chairman, Planning Board

**Resolution P-2015-17**  
Simmons Rockwell Colonial Drive Oil Change  
Preliminary Site Plan Amendment

**Tax Parcel 58.01-2-35.11**

Resolution by: Esty  
Seconded by: Seely

**WHEREAS**, the applicant proposes an addition to the reconditioning/record storage building currently under construction. The total square footage of the combined footprint is proposed to be approximately 9,400sq ft. The additional area is proposed to be utilized for oil changes as a part of the reconditioning process as well as their normal Nissan Service Center. This Building is located in the (rear Northeast parking area) to the existing dealership at 224 Colonial Drive. ; and

**WHEREAS**, the proposed action is an Unlisted action pursuant to SEQR 6 NYCRR Part 617 and the Big Flats Planning Board's review as lead agency; and

**WHEREAS**, the Planning Board has considered the Full Environmental Assessment Form and other materials submitted by the applicant in support of the proposed action, and verbal commentary during the Planning Board's meetings pertaining to the review and evaluation of the proposed action;

**WHEREAS**, the Planning Board considered the structure to be part of the principal use due to the nature of a vehicle sales lot, and

**WHEREAS**, the Planning Board considered the professional opinion of the third party review by Southern Tier Central Regional Planning which agreed that such decision should be considered thru site plan approval only, and

**NOW THEREFORE BE IT RESOLVED**, that the Planning Board of the Town of Big Flats hereby determines, pursuant to the provisions of **SEQR 6 NYCRR Part 617**, that the proposed Unlisted action

will not have a significant effect on the environment and that preparation of an Environmental Impact Statement will not be required, thereby issuing a Negative Declaration; and

**BE IT FURTHER RESOLVED**, that upon full consideration of the above, the Planning Board of the Town of Big Flats hereby grants Preliminary Approval of the Site Plan Amendment which includes the following conditions:

**PRIOR TO ISSUANCE OF A BUILDING PERMIT**

***The following conditions shall be completed by the applicant prior to the authorized issuance by the Building Inspector of a Building Permit:***

1. Authorized issuance of a Building Permit by the Building Inspector shall be fully based on, and in accordance with this Resolution of Approval and the *final* Plans *signed* by the Planning Board Chair or Planning Director. Any alteration or deviation from the *signed final* Plans shall require the prior review and approval by the Planning Board of the Town of Big Flats. The Building Inspector shall include reference to the *final* Plans and this Resolution of Approval on any issued Building Permit.
2. Prior to any Building Permit being issued by the Building Inspector a complete utility plan shall be submitted to the and approved by the Town of Big Flats Department of Public Works and Chemung County Sewer District.
3. No activity within regulated wetlands, watercourses and associated 100-foot buffer areas is permitted or authorized by this Resolution; no wetland activity permit has been granted in conjunction with this Site Plan Approval and no structures shall be placed upon and no use of the areas designated as wetlands, watercourses or associated regulated 100-foot buffer areas, as may be amended from time to time, shall be permitted.

**CARRIED: AYES:** Esty, Piersimoni, Muir, Byland, Masler, Seely, Ormiston  
**NAYS:**

Dated: Tuesday, June 2, 2015  
BIG FLATS, NEW YORK

By order of the Planning Board of the Town of Big Flats  
Lance Muir  
Chairman, Planning Board

Muir reviewed the site plan and questioned the use of the proposed addition.

Gensel said the addition would be used as an oil changing area for new and existing customers.

Ormiston questioned the environmental conditions.

Gensel explained that the interior drains would be connected to a sanitary sewer system including an oil and water separator; similar to what exists in the detailing bay area. Water supply has been discussed with the water department. No sprinkler system is needed.



**SIMMONS ROCKWELL AREA VARIANCE REQUEST (SIGN)**  
**784 COUNTY ROUTE 64**  
**TAX PARCEL #67.02-1-4**

The applicant's request is for a third pylon sign.

By majority vote, the planning board will forward a recommendation to approve the request to the Zoning Board of Appeals.

**ELMIRA FITNESS CENTER VARIANCE REQUEST (HEIGHT)**  
**SING SING ROAD**  
**TAX PARCEL #57.03-2-4**

Esty asked if the request was to allow a second story track to which Gensel replied no.

The applicant is requesting a height of 42' (7ft above the 35' maximum per code).

By majority vote, the planning board will forward a recommendation to approve the request to the Zoning Board of Appeals.

**Motion by Esty, seconded by Seely, to adjourn at 7:32pm, Discussion, None, Motion Carries 7-0.**

Adjourned at 7:33pm.